

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, August 9, 2016**  
**Council Chambers**  
**7:30 p.m. – 8:25 p.m.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich (arrived at 7:32 p.m.), Day, Kujawa and Cook

**ABSENT:** None.

**ALSO PRESENT:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Jim Miller, Parking Enforcement Manager

Mayor Wojahn opened the Regular Meeting at 7:30 p.m.

**Announcements:**

Councilmember Kabir announced a School Supply Giveaway at Duvall Field on August 27 from 10 a.m. to 2 p.m.

Councilmember Nagle said school supply collection boxes are located at Youth and Family services, Davis Hall and at the College Park Community Library.

Councilmember Brennan said they collected school supplies at the last Third Thirsty Thursday event which have been taken to Youth and Family Services. Also, TTT will be on vacation in August. Councilmember Brennan will be the guest bartender at an upcoming event at the College Park Aviation Museum.

Councilmember Dennis discussed the Prince George's County Police Coffee Club at Jason's Deli on Wednesday mornings.

**Proclamations and Awards:** Mayor Wojahn, Councilmember Cook and Councilmember Kujawa presented Certificates of Appreciation to College Park Woods Neighborhood Watch leaders on the 10<sup>th</sup> anniversary of the program.

**City Manager's Report:** Mr. Somers said pet micro-chipping would be available at the Farmers Markets on August 20 and 21. He reminded everyone that free parking continues until August 14 after 5:00 p.m. and all day on Saturday in the City Hall lot and downtown parking garage. There is an updated contract in the red folder for item 16-G-106.

**Amendments To And Approval Of The Agenda:** Move item 16-G-107 to be the next item so that Ms. Schum can attend another event (Stullich/Day). Approve agenda as amended (Dennis/Stullich) 8 – 0 – 0.

**16-G-107 Award of contract to Sabra, Wang and Associates for Design of Hollywood Commercial District Streetscape Project**

Ms. Schum said this has been a long standing CIP project whose goals are to visually unify the Hollywood Commercial District, improve pedestrian and bicycle safety, strengthen the existing businesses and create a streetscape that will attract new business. This project follows on to the Hollywood Commercial District Streetscape Revitalization Final Report submitted in April 2015.

**A motion was made by Councilmember Kabir and seconded by Councilmember Nagle to award the contract for design of Hollywood Commercial District Streetscape Improvements to Sabra, Wang and Associates in the amount of \$67,337.25 and to authorize the City Manager to sign the contract in a form acceptable to the City Attorney.**

There were no comments from the audience.

Councilmembers Kabir and Cook spoke in support of the motion.

**The motion carried 8– 0 – 0.**

**PUBLIC COMMENT ON CONSENT AND NON-AGENDA ITEMS:** None.

**PUBLIC HEARINGS:**

- a. **Ordinance 16-O-06, An Ordinance Of The Mayor And Council Of The City Of College Park Amending City Code Chapter 184 “Vehicles And Traffic”, Article I, “General Regulations” By Adopting §184-5.1, “Through Truck Traffic”, To Provide For Regulation Of Through Truck Traffic**

Ms. Ferguson provided an overview. She clarified that the numbering is Section 184-5.1. This amendment began with a complaint about through truck traffic on a residential street that brought wires down. There is state authority to regulate through truck traffic. This allows the Council to adopt by Resolution specific City streets for “No Through Truck” regulations and to tailor for each street the types of trucks you want to prevent. This is the first step; specific Resolutions are the next step.

**Oscar Gregory, 9253 Limestone Drive:** This proposal is unreasonably broad, intrusive, poorly organized and confusing. It is buried under 184-5.1, Major Automobile Repairs, which will make it hard to find. Without a definition of “truck” in the ordinance, the state definition is used, which is too broad. Instead, allow residents to petition the Council for No Through Trucks like they do for Traffic Calming. Please reject this Ordinance.

**Alan Hew, 9118 Autoville Drive:** He is in favor of this Ordinance; his neighborhood is plagued by through truck traffic which has caused major problems. They have had no means to enforce this in the past, but this Ordinance will give them the tool they need.

Councilmember Cook asked what kind of truck this would apply to. Ms. Ferguson said the state definition is the default if Council does nothing further, but when Council adopts specific Resolutions to set “No Through Truck” regulations per street, they can decide the type of truck at that time, and also define alternate routes. This is just enabling legislation.

**CONSENT AGENDA: A motion was made by Councilmember Dennis and seconded by Councilmember Day to adopt the Consent Agenda, which consisted of the following:**

- 16-R-19      Resolution of the Mayor and Council of the City of College Park Adopting the Recommendations of the Advisory Planning Commission Regarding Variance Application Number CPV-2016-03, 9747 52nd Avenue, College Park, Maryland, Recommending Approval of a Variance from Section 27-120.01(C) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to Construct a Driveway in the Front Yard, Not to Exceed an Encroachment of 196 Square (Appeal period ended August 2, 2016)**
- 16-R-20      Resolution of the Mayor and Council of the City of College Park Adopting the Recommendations of the Advisory Planning Commission Regarding Variance Application Number CPV-2016-07, 5027 Mineola Road, College Park, Maryland, Recommending Approval of a Variance from Section 27-120.01(C) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to Construct a Driveway in the Front Yard, Not to Exceed an Encroachment of 5 Feet in Width By 19 Feet in Length (Appeal period ended August 2, 2016)**
- 16-G-102      Motion to support the issuance of a Class B (BH) Beer, Wine and Liquor License to The Hotel at UMCP ABC, LLC, to include Old Maryland Grill, and Class B (BLX) beer, wine and liquor licenses to Kapnos Taverna and Potomac Pizza, located at 777 Baltimore Avenue, subject to the Applicants entering into a Property Use Agreement (PUA) with the City in substantially the forms as attached; authorize the City Manager to sign the PUA’s; and authorize staff to testify to the Council’s position at the BOLC hearing on August 23, 2016.**
- 16-G-103      Motion to support the transfer of a Class BH, Beer, Wine and Liquor License from OpRock College Park Beverage, LLC, t/a Moose Creek Steak House to Ankur Patel, Managing Member/Authorized Person, Kevin Patel, Authorized Person, Kalpesh Patel, Authorized Person, Piyush Patel, Authorized Person, for the use of DC West Beverage, LLC, t/a Holiday Inn/Moose Creek Steakhouse, 10000 Baltimore Avenue, College Park, subject to the Applicants entering into a Property Use Agreement (PUA) with the City in substantially the forms attached; authorize the City Manager to sign the PUA’s; and authorize staff to testify to the Council’s position at the BOLC hearing on August 23, 2016.**

**16-G-104      Approval of a letter of support to extend the hours of the Food Truck Hub to extend the hours of operation in the Downtown College Park Hub to Midnight Thursday through Saturday.**

**16-G-105      Approval of Minutes: April 5, 2016 Special Session; April 19, 2016 Special Session; July 5, 2016 Special Session; March 1, 2016 Worksession; March 15, 2016 Worksession and July 12, 2016 Regular Meeting**

**The motion carried 8 – 0 – 0.**

**ACTION ITEMS:**

**16-O-06      Adoption of 16-O-06, An Ordinance of the Mayor and Council of the City of College Park Amending City Code Chapter 184 “Vehicles and Traffic”, Article I, “General Regulations” By Adopting §184-5.1, “Through Truck Traffic”, to Provide for Regulation of Through Truck Traffic**

**A motion was made by Councilmember Kabir and seconded by Councilmember Nagle to adopt 16-O-06, An Ordinance of the Mayor and Council of the City of College Park Amending City Code Chapter 184 “Vehicles and Traffic”, Article I, “General Regulations” By Adopting §184-5.1, “Through Truck Traffic”, to Provide for Regulation of Through Truck Traffic provided that an alternate route has been designated.**

Mayor Wojahn said due to the earlier Public Hearing, no further public comment would be taken at this time. There were no comments from Council.

**The motion passed 8 – 0 – 0.**

**16-G-106      Award of Contract to Stormwater Maintenance, LLC for the Narragansett Parkway and Rhode Island Avenue projects, subject to final review and approval by the City Attorney.**

Ms. Ferguson noted there is an updated version of the contract in the red folders; the contract amount was corrected.

**A motion was made by Councilmember Brennan and seconded by Councilmember Day to approve the contract with the Stormwater Maintenance, LLC for the Narragansett Parkway and Rhode Island Avenue projects, in an amount not to exceed \$155,000, subject to final review and approval by the City Attorney.**

Councilmember Brennan said he is pleased that the City applied for and received funds from the Chesapeake Bay Trust for this project. We have coordinated with the Tree and Landscape Board and the Low Impact Development Center. These types of projects are key to mitigating stormwater issues.

There were no comments from the audience or Council.

**The motion passed 8 – 0 – 0.**

**16-O-07      Introduction of Ordinance 16-O-07 (Amended), Ordinance of the Mayor and Council of the City of College Park, Amending Chapter 110 “Fees and Penalties”, By Repealing and Reenacting §110-1 “Fees and Interests” to Increase the Monthly Permit Parking Fee in the Downtown Parking Garage and to Include Bi-Annual Permit Parking Fees and Monthly Permit Parking Fees**

Ms. Ferguson said this is a re-introduction of the ordinance that was discussed and introduced in July. It has been amended to include the language discussed at that time, and also includes in the City Code fees for various parking zones throughout the City. It will take effect January 1, 2017 as requested by Council.

**A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to introduce Ordinance 16-O-07, An Amended Ordinance of the Mayor and Council of the City of College Park, Amending Chapter 110 “Fees and Penalties”, By Repealing and Reenacting §110-1 “Fees and Interests” to Increase the Monthly Permit Parking Fee in the Downtown Parking Garage and to Include Bi-Annual Permit Parking Fees and Monthly Permit Parking Fees.**

The Public Hearing will be held on Tuesday, September 27 at 7:30 p.m. in the Council Chambers.

**16-G-108      Appointments to Boards and Committee**

**A motion was made by Councilmember Dennis and seconded by Councilmember Nagle to appoint Denise Mitchell to the Advisory Planning Commission, and to reappoint Adele Ellis to the Noise Control Board, and to rescind her appointment made in error last month to the Recreation Board. The motion passed 8 - 0 – 0.**

**COUNCIL COMMENTS:**

Councilmember Nagle said the Consent Agenda should be for routine items, not just something we all agree on. Councilmember Dennis said items can always be removed from Consent.

Mayor Wojahn said College Park Day would be held on Saturday, September 24 from 11 – 4 at the College Park Aviation Museum. He is participating in a Dunk Tank fundraiser for the College Park Community Foundation and College Park Food Bank.

**COMMENTS FROM THE AUDIENCE:**

**Joseph Solomon, Hyattsville City Council and President, Prince George's County Municipal Association:** Thanked Council for their partnership on PGCMA matters and announced the next PGCMA meeting is August 11 in Brentwood.

**Cristoferos Beck, 4907 Blackfoot Road:** He introduced himself as a new District 2 resident interested in getting involved on a committee.

**ADJOURN:** A motion was made by Councilmember Kujawa and seconded by Councilmember Day to adjourn into a closed session to discuss a personnel matter. The motion passed 8 – 0 – 0.

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Janeen S. Miller, CMC  
City Clerk

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Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 10:29 p.m. on May 3, 2016, during a scheduled Worksession in the Council Chambers of City Hall, a motion was made by Councilmember Brennan and seconded by Councilmember Kabir to enter into a Closed Session to consider the acquisition or sale of real property for a public purpose, and matters directly related to such acquisition or sale, and to discuss a negotiating strategy before a contract is awarded. The motion passed 8 – 0 – 0 and Council entered into the closed session at 10:36 p.m.

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, Kujawa and Cook. Councilmember Day participated in the vote but left before the Closed Session began.

**ABSENT:** None.

**ALSO PRESENT:** Scott Somers, City Manager, Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning and Cole Holocker, Student Liaison.

**Topics Discussed:** Council discussed a negotiation that is in progress and reviewed terms for the potential purchase of a piece of property.

**Actions Taken:** None.

**Adjourn:** The Closed Session was adjourned at 10:52 p.m. on a motion by Councilmember Stullich and seconded by Councilmember Brennan and a vote of 7 – 0 – 0.

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Pursuant to §C6-3 of the College Park City Charter, at 10:35 p.m. on July 5, 2016, a motion was made by Councilmember Brennan and seconded by Councilmember Day to enter into a Closed Session to 1) consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, 2) discuss a negotiating strategy before a contract is awarded, 3) consult with Counsel on a legal matter. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 10:43 p.m.

**Present:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Stullich, Day, Cook and Kujawa.

**Absent:** Councilmember Dennis

**Also Present:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Planning Director and Chris Keosian, Student Liaison.

**Topics Discussed:** 1) Council was updated on an ongoing project and considered possible options for the acquisition of real property in connection with that project. The City Attorney advised Council about one of those options. 2) Council discussed the use of a City property for a public purpose

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Kujawa and seconded by Councilmember Kabir to adjourn the closed session, and at 11:49 p.m. with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the meeting.

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Pursuant to §C6-3 of the College Park City Charter, at 9:38 p.m. on August 3, 2016, a motion was made by Councilmember Day and seconded by Councilmember Kujawa to enter into a Closed Session to 1) consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, 2) consider a matter that concerns the proposal for a business or industrial organization to locate in Prince George's County and 3) consult with Counsel on a legal matter. The motion passed 8 – 0 – 0 and the Council entered into the closed session at 9:38 p.m.

**Present:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, Cook and Kujawa.

**Absent:** None.

**Also Present:** Bill Gardiner, Assistant City Manager; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Planning Director and Brandon Carroll, Deputy Student Liaison.

**Topics Discussed:** 1) Council discussed a proposal that would involve City property and discussed the City's options. 2) The City Attorney provided a legal opinion to the City Council regarding a banner policy for public buildings.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Day and seconded by Councilmember Kabir to adjourn the closed session, and at 11:18 p.m. with a vote of 8 – 0 – 0, Mayor Wojahn adjourned the meeting.

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Pursuant to §C6-3 of the College Park City Charter, at 8:25 p.m. on August 9, 2016, during a regularly scheduled Council Meeting in the Council Chambers of City Hall, a motion was made by Councilmember Kujawa and seconded by Councilmember Day to enter into a Closed Session discuss a personnel matter. The motion passed 8 – 0 – 0 and Council entered into the closed session at 8:40 p.m.

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stulich, Day, Kujawa and Cook.

**ABSENT:** None.

**ALSO PRESENT:** Scott Somers, City Manager.

**Topics Discussed:** 1) The City Manager and City Council discussed criteria and forms to use for an employee's performance evaluation. 2) The City Manager and City Council discussed a staff response to a Councilmember request.

**Actions Taken:** None.

**Adjourn:** The Closed Session was adjourned at 9:00 p.m. on a motion by Councilmember Kujawa and seconded by Councilmember Cook and a vote of 8 – 0 – 0.

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